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An Open At On the First Am

The CIA and a Congressional committee are trying to stop the publication of *unclassified* information—and to hell with the Constitution

By Chuck Fager

Ellen Ray feels that one way to help stop ongoing CIA abuses is to blow its agents' cover; so along with Louis Wolf and Bill Schaap, she edits *Covert Action Information Bulletin*, which among other features regularly publishes the names and locations of covert CIA agents.

Congressman Ed Boland thinks that *Covert Action's* "Naming Names" column is an intolerable outrage; so as Chairman of the House Permanent Select Committee on Intelligence, he is sponsoring a bill, the Intelligence Identities Protection Act, HR4, which is intended to put Schaap, Wolf and Ray out of the naming of names business, or failing that, behind bars.

Boland isn't kidding, either. He intends to stop *Covert Action*, even if it means knocking a hole in the First Amendment.

Which is exactly what it does mean.

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Edward Patrick Boland, Sr., is an archetypal congressional insider. Secure in his solidly Democratic Springfield, Massachusetts, district, he has maintained so low a profile in the House during his nearly three decades of service as to be all but invisible. He makes few speeches, rarely deals with the press (he was only able to interview him by mail, submitting written questions to which he sent written replies), and has no famous programs or statutes named after him. Even so, he is a figure of considerable stature in the House, having apparently staked his career on two basic political maxims: First. Stick With the Leadership; and

The leader in this case is House Speaker Tip O'Neill, his close friend since both served in the Massachusetts legislature nearly 50 years ago. He has followed the money from where it counts—the House Appropriations Committee, on which he has risen to the number two Democratic spot, ready to assume formal command when Chairman Jamie Whitten of Mississippi falters or steps aside (unless the Republicans capture the House next year). For that matter, the money has also followed him, as it has a way of doing with influential members: last year, for instance, he raised almost \$45,000 in contributions for a campaign in which he was essentially unopposed.

Tracking Boland in the *Congressional Record* index shows him rarely indulging in that packaged political bombast with which its issues are fattened; rather, he turns up most often where a key insider should, as an appointee to crucial conference committees with the Senate, where, away from the limelight, so much of Congress's real work actually gets done.

Such appointments are a measure of the esteem and confidence of the leadership. And so was Boland's selection as Chairman of the new Permanent Select Committee on Intelligence in 1977. The Committee was created in the wake of the CIA scandals of the mid-1970s, when a long string of exposures of illegal and counterproductive intelligence operations had rocked the CIA and produced demands for better Congressional oversight of the agency. The post demanded someone who was smart,

Boland took the job professing high regard for the committee's role as a watchdog over the CIA. "This committee was created to insure effective congressional oversight of intelligence activities," he announced at its first oversight hearing. "It will not become the unquestioning ratifier of all that the intelligence community proposes." He was careful, however, to add that the committee's "duty to insure a strong and dedicated intelligence service is just as strong as its obligation to prevent abuse."

This rhetorical balance between oversight and support of the CIA has been a frequently repeated motif in Boland's statements over the past four years. But the committee's record does not show a similar balance. Instead, the thrust of its hearings and publications, especially in the past two years, suggests that the Agency, bouncing back from the scandals of Watergate and its aftermath, has turned it into a congressional showplace for its interests. Recent hearings retailed the intelligence community's complaints about the Freedom of Information and Privacy Acts; hardline analyses of Russian intentions, strategic forces and military spending; calls for more electronic bugging, and demands to stop espionage "leaks."

By last year, in fact, the committee had become the staging area for counterattacks against the CIA's critics and the restrictions they had managed to place on it.

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